

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4918 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
  2. To be referred to the Reporter or not?
  3. Whether Their Lordships wish to see the fair copy of the judgement?
  4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
  5. Whether it is to be circulated to the Civil Judge?

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GANDEVI PEOPLE'S CO-OP. BANK LTD

Versus

SURESHCHANDRA PURSHOTTAMDAS NEMANI

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Appearance:

MR SHIRISH JOSHI for Petitioner

MR BS PATEL for Respondent No. 1

MR KT DAVE, LD. AGP for Respondents Nos. 2 to 4.

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CORAM : MR.JUSTICE M.S.PARIKH

Date of decision: 07/10/98

ORAL JUDGEMENT

Rule. Service of rule waived by Mr. B.S. Patel, learned advocate for the respondent and Mr. K.T. Dave, LD. A.G.P. for the respondents nos. 2 to 4.

2. Leave to amend the cause title by adding Joint Registrar, Cooperative Societies, Gujarat State, Gandhinagar, as respondent No.5, is granted. Mr. K.T. Dave, LD. A.G.P. waives service of rule on behalf of the respondent no.5.

3. This petition is directed against the impugned order dated 22/6/1998 passed by the State Government, whereby the order of the Joint Registrar, Cooperative Societies, Gujarat State, Gandhinagar, rendered on 3/6/1998 is stayed. According to the last mentioned order a direction was issued to the District Registrar, Valsad to register amendment of the bye-laws of the Bank.

4. It has now been jointly submitted by the learned advocates appearing for both the parties that the parties have settled the matter outside the Court and in the Annual General Meeting of the Bank dated 30/9/1998 only one amendment was suggested in the amended bye-laws. According to this settlement, Gandevi constituency will have eight seats, Bilimora will have four seats and Amalsad retains one seat, in the Board of Directors of the Bank. It is therefore, jointly requested by the learned advocates appearing for both the parties that necessary direction is required to be given to the newly added respondent no. 5 to incorporate the aforesaid amendment in his order (Annexure - P ) and to give necessary direction to the District Registrar, Valsad in that regard. It has further been agreed that the first respondent shall withdraw the revision application pending before the respondent no.3.

5. In view of what is stated above, the learned advocate appearing for the petitioner seeks to withdraw this petition. Permission granted. Rule is discharged subject to the aforesaid direction to the respondent no. 5. No order as to cost. DSP.

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\*\*PVR\*\*sca491898j.